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SERVICE DATE - DECEMBER 22, 2003

SURFACE TRANSPORTATION BOARD

DECISION

STB Docket No. AB-43 (Sub-No. 173X)

ILLINOIS CENTRAL RAILROAD COMPANY—ABANDONMENT EXEMPTION—  
IN FORREST COUNTY, MS

Decided: December 18, 2003

On March 28, 2003, a decision and notice of interim trail use or abandonment (NITU) was served authorizing a 180-day period for the Pearl & Leaf Rivers Rails-to-Trails Recreational District (District) to negotiate an interim trail use/rail banking agreement with the Illinois Central Railroad Company (IC) for approximately 2.4 miles of a line of railroad known as the Central District Trackage, extending from milepost MH 0.66 to milepost MH 3.06 in Forrest County, MS. The negotiating period under the NITU was scheduled to expire on September 24, 2003, but was extended until December 23, 2003, by a decision served on October 3, 2003.

On December 10, 2003, the District filed a request for an extension of the negotiating period for an additional 90 days. The District states that it needs the additional time to continue to finalize the trail use negotiations. Also, the District states that Mr. Butch Brown, executive director of the Mississippi Department of Transportation, has recently resigned his duties and, in view of his role as leader of the coordinated effort, the additional time is needed to reestablish leadership. On December 16, 2003, IC advised that it agrees to the 90-day extension request.

Where, as here, the carrier is willing to continue trail use negotiations, the negotiating period may be extended. An extension of the negotiating period will promote the establishment of trails and rail banking consistent with the National Trails System Act, 16 U.S.C. 1247(d).<sup>1</sup> Accordingly, the negotiating period will be extended for an additional 90 days from December 23, 2003.

This action will not significantly affect either the quality of the human environment or the conservation of energy resources.

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<sup>1</sup> See Rail Abandonments—Supplemental Trails Act Procedures, 4 I.C.C.2d 152, 157-58 (1987).

It is ordered:

1. The request to extend the NITU negotiating period is granted.
2. The NITU negotiating period is extended until March 22, 2004.
3. This decision is effective on the date of service.

By the Board, David M. Konschnik, Director, Office of Proceedings.

Vernon A. Williams  
Secretary